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**TRANSMITTAL
FORM**

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/737,180	
	Filing Date	December 15, 2003	
	First Named Inventor	Moore	
	Art Unit	1651	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	9	Attorney Docket Number	PHY-001US5/108236.136US5

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	- Preliminary Amendment Pursuant to 37 CFR Sec. 1.115 (8 Pages)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	- Return Postcard	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael J. Twomey, Reg. No. 38,349
Signature	<i>Michael J. Twomey</i>
Date	August 27, 2004

EXPRESS MAIL LABEL NO. EVJ0820348403DATE OF DEPOSIT 8/27/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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8-30-04

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/737,180 Art Unit: 1651
Applicant(s): Moore Examiner: To Be Assigned
Date Filed: December 15, 2003 Conf. No.: 5500
Docket No.: PHY-001US5/108236.136US5 Cust. No.: 23483
Title: **Composition And Method For Preserving Progenitor Cells**

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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8/27/04

Date of Deposit

Sharon R. Matthews

Sharon R. Matthews

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT PURSUANT TO 37 CFR § 1.115

Sir:

Prior to substantive examination of the above-referenced patent application, please amend the above-identified application as follows:

Amendments to the Specification begin on *page 2* of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on *page 4* of this paper.

Remarks/Arguments begin on *page 7* of this paper.